

# United States District Court

## EASTERN DISTRICT OF NORTH CAROLINA

BRIAN MERLE SPEARS,  
Plaintiff,

v.

MIKE JOHANNIS, Secretary, UNITED STATES  
DEPARTMENT OF AGRICULTURE; and  
ANDREW S. NATSIOS, Administrator, UNITED  
STATES AGENCY FOR INTERNATIONAL  
DEVELOPMENT,  
Defendants.

**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 5:06-CV-502-F**

\_\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the defendants' Motion to Dismiss or for Summary Judgment is ALLOWED, and this action is DISMISSED. The court ADOPTS the defendants' Memorandum as stating the rationale for this ruling.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **March 27, 2009**, AND A COPY MAILED VIA ELECTRONICALLY OR BY REGULAR MAIL TO:

James Niels Jorgensen  
4030 Wake Forest Road, Suite 209  
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March 27, 2009  
Date

DENNIS P. IAVARONE  
Clerk of Court

/s/ Susan K. Edwards

*Wilmington, North Carolina*

*(By) Deputy Clerk*